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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-second session

SUMMARY RECORD OF THE 574th MEETING*

Held at the Palais des Nations, Geneva,
on Thursday, 30 September 1999, at 10 a.m.

Chairperson: Mr. RAMCHARAN

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* No summary record was prepared for the 573rd meeting (closed).

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The meeting was called to order at 10.10 a.m.

COMMEMORATION OF THE TENTH ANNIVERSARY OF THE CONVENTION (agenda item 7)

Tenth anniversary of the Convention on the Rights of the Child

Commemorative meeting: achievements and challenges

(Special session organized jointly by the Office of the High Commissioner for Human Rights and the Committee on the Rights of the Child)

1. In the context of the commemoration of the tenth anniversary of the Convention on the Rights of the Child, the Deputy High Commissioner for Human Rights, Mr. RAMCHARAN, as Chairperson of the Commemorative Meeting, invited those present to stand up and welcome the children present in the room. He then gave the floor to Mrs. Mboi, Chairperson of the Committee on the Rights of the Child.

2. Mrs. MBOI (Chairperson of the Committee on the Rights of the Child) welcomed all participants, and in particular the representatives of the States parties to the Convention, the various United Nations bodies, agencies and organizations, the non-governmental organizations and all the children and young people who had come to take part in the Commemorative Meeting, and hoped that the work of the various working groups would enable useful recommendations to be drafted for the well-being of the world's children.

3. The CHAIRPERSON presented the excuses of Mrs. Robinson, the High Commissioner for Human Rights, who had been detained in New York, and said that during the discussion he would put forward the substantive ideas contained in the statement she had been intending to make; he also invited participants, instead of making long speeches, to contribute their thoughts to an interactive discussion on the Committee's achievements, the participation of the children and the stakes for the future.

4. Mrs. OUÉDRAOGO (International Labour Office) said that ILO studies showed that 60 million children worldwide between the ages of four and fourteen were working in conditions which could be described as dangerous given their age and their vulnerability. In June 1999 ILO had adopted Convention No. 182 concerning the elimination of the worst forms of child labour, including, among other forms of labour and exploitation, slavery, forced labour, trafficking, debt bondage, serfdom, prostitution and pornography. She noted that the new Convention did not replace Convention No. 138 concerning the minimum age for admission to employment which was the basic international standard in that regard and would remain the basis for action to abolish child labour totally. It was nevertheless a challenge for ILO and for the international community overall. The number of ratifications of the Convention should equal the ratifications of the Convention on the Rights of the Child. A campaign had therefore been launched for the ratification of Convention No. 182 and Convention No. 132. Eighty States to date had ratified the latter. She recalled that more than 60 countries and 20 donors were taking part in the International Programme on the Elimination of Child Labour (IPEC) initiated in the early 1990s to help member States to take a more effective stand against the scourge of child

labour. In the Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted by the International Labour Conference on 18 June 1998, the members of the International Labour Organization had renewed their commitment, inter alia, to respecting, promoting and achieving the abolition of child labour. The follow-up to the Declaration highlighted areas in which ILO assistance, through its technical cooperation activities, could serve to aid members in implementing the fundamental principles and rights it defended. In conclusion, she said that a group of seven experts should be appointed so as better to pinpoint shortcomings and to cooperate with the members of the Committee on the Rights of the Child. She hoped that a new culture which would encourage respect for the rights of the child could little by little be established.

5. The CHAIRPERSON thanked the representative of ILO for raising the important question of ratification and said that the Convention on the Rights of the Child had so far been ratified by 91 countries.

6. Mrs. SORGHO-MOULINIER (United Nations Development Programme) welcomed the near-universal ratification of the Convention on the Rights of the Child. It was a historic achievement for the international community and demonstrated its interest in the well-being of children and the future of the world. In 1998, UNDP had decided to link a policy for the integration of human rights with its policy on sustainable human development. Its efforts had been concentrated on the development of human rights in democratic institutions, the systematic integration of a human rights approach into sustainable human development, and the promotion of active participation in a human rights dialogue and the follow-up of the United Nations Conference on Human Rights. It was expected that the integration of human rights would add value to UNDP's four focus areas, namely, programmes to promote advancement of women, for the protection of the environment, for job creation and sustainable livelihoods and for developing capacity for good governance. The overall goal of all those programmes was the eradication of poverty. The organization was currently in the process of strengthening its own structure in respect of human rights and their links with development. Regional workshops for UNDP staff and government representatives were being organized to increase understanding of human rights, including the principles of the Convention. In 1998, UNDP and the Office of the High Commissioner for Human Rights had signed a memorandum of understanding to strengthen collaboration in the promotion and protection of human rights, an initiative that should contribute to a better implementation of the Convention and to guaranteeing a better future for children. She thanked UNICEF for its tireless efforts to promote the ratification and implementation of the Convention and commended the Committee on the Rights of the Child on the important mission in which it had been involved since 1991. In conclusion, she said that UNDP looked forward to taking part in the efforts of the United Nations and its counterparts all over the world to promote and protect children's rights.

7. The CHAIRPERSON invited the children present to comment on the question of the participation of children in the implementation of the Convention.

8. Naima GALLI (Netherlands) said that a prime concern for her was that all adults should speak the same language. She had the impression that each organization was much more concerned with promoting itself than with the interests of children. If the Committee wanted

children to be a part of its work, it had to make contact with them, for example, in schools or sports clubs (where posters could always be put up) so that it could inform them of ongoing projects.

9. Sandra JIMENEZ LOZA (Mexico) suggested that the Committee on the Rights of the Child should invite children as members so that they could take part in considering matters concerning them.

10. The CHAIRPERSON thanked the children for their statements and invited them to take the floor whenever they felt it to be appropriate.

11. Mr. KALUMIYA (Office of the United Nations High Commissioner for Refugees) said that the commemoration of the tenth anniversary of the Convention, as with the fiftieth anniversary of the Universal Declaration of Human Rights, provided an occasion to reflect on how the rights of children had been translated into something tangible. It was sad that, despite the near-universal ratification of the Convention and the many important achievements in child protection, their most basic rights continued to be violated in many parts of the world on a daily basis. UNHCR's work with refugees and other victims of forced displacement provided something of a barometer on the situation of children in the world. The statistics were, unfortunately, telling. Of the nearly 21 million refugees and displaced people around the world, more than half were children. He quoted numerous figures confirming that lamentable truth and asked what the international community could do to translate children's rights into reality. He put forward some relevant proposals. The starting point would be to place children's rights at the heart of thinking and action (legal doctrine, formulation of policies, programming of humanitarian relief, etc.). A "child rights approach" to the protection of refugee children could help to provide a structural framework and greater clarity in humanitarian work. The principle of the best interests of the child was not a utopian aspiration but should be taken into account also in armed conflict where children were not just innocent bystanders but were subject to calculated genocide. Displaced children were particularly vulnerable to violations of their rights, even when they crossed an international border. UNHCR tried to guarantee every child the highest attainable standard of health and facilities for the treatment of illness and rehabilitation of health and the other rights specified in article 24 of the Convention. Lastly, it was important that the rights of refugee children reintegrated into their home communities should be respected. He quoted the example of the cooperation between UNHCR, UNICEF and NGOs in Liberia in education and said that such programmes helped to prevent child recruitment. He welcomed the human rights approach adopted by UNHCR and all the other humanitarian bodies in their activities.

12. The CHAIRPERSON asked the child refugees to give their opinion on UNHCR's activities.

13. Albion BOGDANI (Albania) wished first of all to thank UNHCR for all the assistance given to child refugees, especially in Kosovo. He would also like to know what precise action UNHCR would take to guarantee children specific rights in armed conflict.

14. Naima GALLI (Netherlands) asked what became of a child refugee when he turned 18. She quoted the example of a young refugee of 18 living in the Netherlands who had found himself without a penny on the streets.

15. The CHAIRPERSON invited the chairpersons of the working groups to include those two questions on their agendas.

16. Mrs. SANTOS PAIS (United Nations Children's Fund) referred to the unique nature of the Convention, the standards and values of which served as a basis for authentically reshaping laws, policies and practices at the world level. In the process of United Nations reform children's rights had been recognized as a cross-cutting theme for development cooperation and humanitarian action. The virtually universal ratification of the Convention had made it an almost system-wide reference and marked the start of an accord between development and human rights objectives. The Security Council had begun to address the situation of children in its thematic debates; a child-protection component was being included in peace-keeping missions and humanitarian access to children was being recognized as an imperative. Peace-keeping personnel was being trained in the principles and provisions of the Convention, thus paving the way for the consideration of broader human rights issues in the area of peace and security. The Convention had also led to the strengthening of international standards, particularly with regard to adoption, the worst forms of child labour and war crimes committed against children.

17. Children, however, continued to be heavily penalized in numerous areas. The Convention called for international solidarity and technical assistance for children. For 10 years official development assistance had been declining. During the same period, the process of globalization had led to increasing disparities between and within nations. The double process had had its greatest impact on the poorest countries and disadvantaged children had become increasingly vulnerable to all forms of exploitation. Debt-servicing had taken on such proportions that it amounted to an obstacle to the protection and promotion of the rights of the poorest in each country. It was a fact that children were generally the first victims but there was a lack of precise data on their situation, which was rarely used as an indicator of social progress. In view of those problems, it was essential to draw up strategies focused on critical issues and to demonstrate genuine political will.

18. UNICEF for its part was preparing to launch a new information system (called Making Children Count) on the various measures taken at the national level and the establishment of coordinating, monitoring and evaluation mechanisms; the creation of independent offices and posts for ombudsmen; law or budgetary reform; the improvement of child-related data; the development of a child-impact assessment system or the promotion of a culture of respect for children's rights. The initiative was intended to foster a process of cross-fertilization of experiences to the benefit of children. Having encouraged ratification of the Convention, UNICEF was taking seriously its responsibility to support States in meeting their commitments by continuing to work for the promotion and protection of children's rights and through them of human rights in general. It was time to work on the preparation of the new Global Agenda for children to be adopted at the Special Session of the General Assembly in 2001. Meanwhile, there was a need to encourage as much broadening of participation in that process as possible (including the private sector, the media and all participants in civil society) along with a genuine partnership with children.

19. Haby KANTÉ (Mali) drew attention to the problem of child soldiers in Africa (particularly in Zaire and Rwanda), who were both victims of combat and its actors. She pointed out that they were unaware either of their rights or their duties, and asked what could be done to help them. As Chairwoman of Mali's Children's Parliament, she hoped that one day a world parliament of children would be created to allow them to have their say about the problem of war.

20. Albion BOGDANI (Albania) agreed that the idea was magnificent but pointed out that it would be necessary to begin by envisaging the establishment of national bodies, especially in order to coordinate activities carried out by young people's NGOs and implement technical assistance activities.

21. Sandra JIMENEZ LOZA (Mexico), who had taken part in the 1997 children's elections in Mexico, fully endorsed the idea of creating a world parliament of children. It was children themselves who were best placed to make their opinions and their needs known. She asked what was being done to provide psychological help to children in Kosovo and East Timor.

22. Mrs. SOO-HYANG CHOI (United Nations Educational, Scientific and Cultural Organization) said that the Government of France and UNESCO would organize jointly an assembly in October to be known as "Parlement mondial des enfants" (World Parliament of Children). It would adopt a manifesto for the twenty-first century which would be presented to the United Nations.

23. Patricia CRUZADO (Peru), representing an organization of child workers, pointed out that it was not only the NGOs and the specialized agencies that concerned themselves with children in her country; the children themselves had organized popular movements and set up bodies enabling them to work independently and to participate directly in the defence of their rights. She said that her organization would have liked to have taken part in the international conferences to discuss the draft ILO Convention on the worst forms of child labour and welcomed the opportunity she had been given on the present occasion to address the meeting and highlight the right of children to participate.

24. Mr. TULLOCH (World Health Organization) said that health was a key element in a person's development while the right to life and to survival was a fundamental right. He was convinced that activities to protect the health of children and young people could not be dissociated from the need to guarantee their rights. WHO was currently endeavouring to integrate a global human rights policy into its activities, particularly those on behalf of children and young people. The Convention provided a powerful tool in that respect. His organization had raised the level of awareness of child rights among its staff and WHO's collaboration in the work of the Committee had been considerably reinforced. Partnerships with other agencies working to ensure the child's right to health care had also been strengthened.

25. Constraints faced in achieving the Convention's objectives were basically linked to failings within the reporting process, the implementation of the Committee's recommendations and the monitoring of the effectiveness of those recommendations in the field. First of all, there was a need to make the pre-sessional reporting process more efficient, with less duplication of material and to encourage a better exchange of information between the agencies in question. It

would then be necessary to facilitate the implementation of the Committee's health-related recommendations by improving the quality of information delivered to it so that the proposed measures would be more pertinent and more easily applicable in each member country. It was important to act at the country level by encouraging field staff to increase their contribution to the WHO commentaries to the State party reports. WHO should also offer technical assistance to countries in implementing those recommendations that related to health. For all those objectives to be fulfilled, field staff must be familiarized with the Convention by organizing training at country level. All those measures must be accompanied by coordination of child and adolescent health activities within WHO. A comprehensive strategy would be prepared for the purpose with input from all relevant WHO departments. The strategy would facilitate the translation of the principle of the promotion and protection of rights into concrete action. A rights-based approach of that nature was essential. It was only if health workers were made aware of the importance of rights in relation to health and had developed the skills necessary to carry through the terms of the health-related articles of the Convention that children and adolescents would benefit from the Convention. The knowledge and tools to guarantee the rights of children existed; what was needed was a political willingness to address those rights.

26. The CHAIRPERSON invited the children present to take the floor on the subjects raised.

27. Florence HERNANDEZ (Philippines) said that children wanted above all to be sure that they were being listened to. Rather than merely promoting their own projects, the agencies working on behalf of children must also ensure that their projects met children's needs and had a genuine impact. She very much hoped that a World Parliament of Children could be set up, but children must be trained to play an efficient role in the initiative. They could not take action without the support and the advice of experts and adults in general. She admitted that certain questions were difficult for children to appreciate and explained that their contribution was above all their familiarity with real life. The participation of children began when their opinions were taken into account.

28. Daisy LANGMAID (United Kingdom) endorsed the idea of a World Parliament of Children. She was aware that, in order to implement the Convention, Governments which had ratified it were required to submit reports, but she wondered how it was possible to ensure that those reports reflected reality, and asked how the specific effects of the measures adopted could be known.

29. Naima GALLI (Netherlands) wished to know whether Governments could be required to appoint children to be present during the Committee's work and report on their experience in the field. Where the World Parliament of Children was concerned, she believed that the UNESCO project was timely. The Netherlands Parliament of Children only met once a year. In order to have some effect, children's parliaments needed to meet more often; she suggested that Internet could play a role in that connection.

30. Mr. HUHTANIEMI (Finland), taking the floor on behalf of the European Union and the Central and Eastern European countries associated with the European Union, along with Cyprus and Malta, said that the tenth anniversary of the Convention was a reminder of the need to advance the cause of children but also to highlight their strength, individually and collectively and to look at them as subjects, ready to take part in shaping their own future.

31. Notwithstanding the progress achieved, children remained very vulnerable. Millions of them were exploited and were the victims of violations of their fundamental rights. In some respects the Convention did not provide them with the protection envisaged. The increase in armed conflicts posed a serious threat to children. The European Union stressed the need to raise the current minimum age limit set by article 38 of the Convention with reference to the recruitment and participation of minors in armed conflict. It also considered that stronger measures were needed on the sexual exploitation of children. It reasserted its opposition to capital punishment, especially for offences committed by minors, in accordance with article 37 of the Convention.

32. The European Union urgently appealed to the two States which had not yet ratified the Convention to consider doing so rapidly. However, ratification alone was not enough. The European Union was seriously concerned by the large number of reservations entered and urged their authors to reconsider them.

33. The European Union stressed the important role played by the Committee on the Rights of the Child in defining means to improve the implementation of the Convention. He had no wish to dwell on the problem of the huge overload of work confronting the Committee; one solution could be an increase in the number of its members.

34. The European Union firmly supported the activities of the Office of the High Commissioner for Human Rights in the field of children's rights, particularly its efforts to ensure that the national institutions for promoting and protecting human rights focused their activities on children, and the attention it gave to the impact of macroeconomic policies on children's rights, which would be discussed at the next session of the Commission on Human Rights.

35. The European Union also appreciated the work of UNICEF in its cooperation with the Office of the High Commissioner for Human Rights; it invited the United Nations agencies to adopt the same approach as UNICEF which used the Convention as a basic tool in its humanitarian aid and social programmes and in its consciousness-raising campaigns. It welcomed WHO's emphasis on the right of children and adolescents to health and health care and the fact that the Office of the United Nations High Commissioner for Refugees used the Convention as a legal framework in assistance to refugee children. It was very important that all actors within the United Nations system should take an active share in the follow-up to the World Summit for Children.

36. On the threshold of the new millennium, every effort should be made to ensure that human rights became a reality for all children regardless of their background. The European Union was convinced that the Convention was an essential tool for preventing violations and that the promotion and protection of the rights of the child was one of the most effective ways of achieving long-term social development.

37. Delphine de RIEMACKER (Belgium) said that it should not be forgotten that children's rights were also violated in supposedly civilized countries where some children starved or were in prison or were subjected to discrimination on account of their foreign origins or because of a disability. The creation of a parliament of children was of enormous importance to children

since they too wished to have their say in society, and wanted adults to believe that they were capable of taking on responsibilities and initiating constructive projects in close collaboration with adults.

38. Mrs. SALUNEN (Lapsille Oikeudet (association for the defence of children's rights)) said that she represented new-born infants, a category of children who could not be present; she listed their ten fundamental rights, namely, the right to contact with their mother, to breastfeeding, to tenderness, to a family, to security, to physical integrity, to inclusion in the human family, to specific care, to being given priority attention and to a future.

39. Mr. SOTTAS (World Organization against Torture) said that a journalist had asked him ten years previously whether the Convention was not liable to weaken the international standards in force in that it claimed to regulate matters which were already the subject of detailed international coding. There had been a reason for the question in that article 32 of the Convention, which dealt with child labour, left States at liberty to determine the minimum age at which children could work. Child labour was the subject of a series of specific conventions drawn up by ILO and of sensitive cases on the subject considered annually by the Committee of Experts and the International Labour Conference. The non-binding nature of the wording of article 32 was liable to undermine the effect of the ILO conventions which required States to undergo periodic monitoring.

40. The Convention also contained provisions on torture, the death penalty and detention in articles 37 to 40, although a whole range of international instruments already existed to deal with those questions, some of them equipped with monitoring mechanisms. It was obvious that those difficult questions could not be handled exhaustively in four articles and that that was a genuine problem for the Committee on the Rights of the Child.

41. Ten years on, it could be seen that the Convention and the Committee were nevertheless making an original and indispensable contribution to the fight to ensure that the rights of children were respected and promoted. Article 37, which prohibited the imposition of capital punishment and life imprisonment without possibility of release for offences committed by persons under 18 years of age, was almost universal since only two States, one of which was the United States of America, still refused to ratify it. With those exceptions, where children were concerned, the Convention had succeeded where the Second Optional Protocol to the International Convention on Civil and Political Rights had failed.

42. Even though it did not provide for the possibility of submitting individual communications, the Committee ensured the monitoring of the human rights situation in the areas covered by the Convention against Torture, through the consideration of periodic reports, which meant that a number of States which had not wished to ratify the latter Convention could be monitored.

43. It was very useful that all the rules and standards intended to protect the rights of minors as a whole were grouped in a single instrument, thus providing an overall approach which took into account the complexity of the situation in the actual country under consideration. The fact that lawyers in a country like Mali had been able to envisage regulating child labour below the minimum age established by the ILO Conventions was because in Mali children did not have a

choice between work and education but between work and the streets. The problem must therefore be dealt with in the general context of the country, which was precisely what the Committee was in a position to do when it considered the periodic reports of States parties from the standpoint, inter alia, of education, health and freedom of conscience, in that way bypassing the dichotomy between civil and political rights and economic and social rights, and between violations which constituted ordinary crimes and violations involving the responsibility of the State.

44. Since its inception, the Committee on the Rights of the Child had endeavoured to collaborate closely with the NGOs, by inviting them to give specialized opinions on the implementation of the Convention in areas relating to their respective mandates, in accordance with article 45 of the Convention, and by including them to a major extent in the discussions of the Committee itself and the pre-sessional working groups. The intense collaboration thus achieved had led to improved mutual understanding. The collaborators of the NGOs in the field often found it somewhat difficult to understand that the Committee was not empowered to consider communications. It was the responsibility of the NGOs to make them understand that the Committee had a task of another kind, namely, a legal analysis of the legislative framework so that it could be modified in such a way as neither to encourage nor to tolerate violations. The dialogue with the Committee on the Rights of the Child had made the NGOs realize that their efforts, generally directed at specific cases, must be supplemented by legal reflection. The Committee itself had recognized the importance of the role of its partners in civil society in implementing the recommendations to the State party.

45. His organization had submitted more than 50 reports to the Committee which had used them at each of its sessions during the discussion with the State party and had largely taken into account the comments and suggestions contained in them. The contributions of many other NGOs had also carried considerable weight in the discussion of periodic reports. The ensuing results were remarkable; once the Committee's recommendations had been considered, the national authorities initiated or intensified their dialogue with the NGOs in order to find the best possible solution.

46. Despite those positive aspects, the Convention still gave rise to concerns on account of some of its limitations, in particular the lack of a specific mechanism to allow the Committee to receive and deal with urgent communications, a lack which most of the NGOs very much regretted in view of the aggravation of the situation of children. Another manifestly unacceptable limitation of the Convention was the provision setting the minimum age for recruitment in the armed forces at 15 years of age. An NGO coalition supported by certain States had taken the initiative of introducing a protocol to ensure that States prohibited the recruitment of child soldiers.

47. In conclusion, he said that an anniversary was an opportunity both to take stock of the situation and to set objectives for the future, so that the intensive efforts of all participants over the next 10 years would lead to the elimination of violations of the rights of children.

48. Mrs. MBOI, taking the floor as Chairperson of the Committee on the Rights of the Child, said that the Committee was in a privileged position to observe the progress of States in

implementing the Convention, to learn to promote and protect children's rights and to learn from the dialogue with representatives of the States parties, NGOs, United Nations bodies and children themselves.

49. It should be stressed that collaboration and cooperation with all the participants concerned would make the implementation of the Convention and its follow-up much more effective. It was encouraging to observe that when States parties presented their second reports, invariably their approach included not just Governments but far more participants besides. Civil society itself was becoming more skilled and better focused on its activities.

50. UNICEF's tireless efforts round the globe should not be forgotten; it had embraced the Convention in its work and supported the Committee generously. It was gratifying to see that other United Nations bodies and specialized agencies were beginning to set up programmes on behalf of children, which took their inspiration from the Convention.

51. Definite progress had been made in many countries on the right to survival and development and the implementation of law reform. However, as the Committee had noted with concern, such progress was partial. There was a quantitative improvement in education, for example, with the increase in enrolment rates, but inadequate attention had been given to the qualitative aspect, although the Convention made provision for it.

52. Experience in Geneva and in field visits had shown that it was essential to work with children and young people in seeking solutions in areas which concerned them and their community. Despite professions of good intentions, existing institutions and the new associations of young people that had emerged continued to go their separate ways.

53. Sadly, not enough was done in most countries to sanction violations of children's rights or encourage exposure of those who practised them or profited from them. States parties had accepted the obligation to perform that difficult task in ratifying the Convention, and should not therefore be satisfied with merely performing obligations which raised no problems of application. In the same context, the obligation to take all appropriate measures to promote the physical and psychological recovery and social reintegration of the young victims of violations was very rarely honoured, although it was a question of major importance. As for juvenile justice and the rights of children in conflict with the law, amendments had been made to domestic laws but, in practice, change in attitudes within society, within the security forces or among magistrates was slow and meant that the conditions of life of the children in question had not really improved.

54. In view of the fact that, since the entry into force of the Convention, children's rights had continued to be violated on a daily basis, mainly because of the persistence of antiquated attitudes to children, it must be recognized that the Committee and the States parties had not succeeded in making the spirit and principles of the Convention known and acceptable.

55. The Committee wished to achieve the following objectives over the next few years: receive feedback and suggestions about the conclusions and recommendations made to States parties following consideration of their reports, particularly with regard to practical applicability;

speed up (without sacrificing quality) the consideration of reports (the Committee urged States which had not yet ratified the amendment to increase the number of its members from 10 to 18 to do so as soon as possible) and issue general comments as a contribution to case law.

56. In conclusion, the bases for a better world should be laid by creating a culture of human rights among children and young people, and by making them understand the importance of those rights for themselves and for their society as well as for peace and development.

57. Mr. HAMMARBERG (founding member of the Committee on the Rights of the Child) said that the problems of children's rights were too often regarded as marginal by national political institutions. The Committee on the Rights of the Child could support initiatives to put pressure on certain Governments so as to change that situation. Such initiatives could be based on some useful articles of the Convention, such as article 3 which stipulated that the best interests of the child should be a primary consideration, and stressed the form in which decisions were made, including political decisions with repercussions for children. Before taking a decision, the regional or national authorities should assess its impact on the situation of children and envisage other strategies should the analysis reveal that it would have an adverse effect on them. Article 4, which stipulated that States parties should undertake all appropriate measures to the maximum extent of their available resources, could be invoked in order to invite Governments to take account of children's rights when they took budgetary decisions. The meeting could recommend that the question of children's rights should be included on the agendas of the annual meetings of IMF and the World Bank, not to politicize the debate but because the situation of children depended on macroeconomic policies.

58. Another challenge to be met was how to move from charity to solidarity, or from condescension to respect. With reference to article 19 of the Covenant, which dealt with the protection of the child against ill-treatment, the law in the vast majority of countries allowed parents to beat their children. The meeting should invite Governments to comply with article 19 by amending their laws.

59. Lastly, in relation to permitting children to be heard, it was not enough to organize annual meetings; it must be ensured that children could exercise an influence on a daily basis on decision-making by the authorities at any level, and in that sphere much remained to be done.

60. Mrs. SARDENBERG said that the discussion was extremely rewarding for the members of the Committee and that she had great expectations of the round tables organized on the fringe of the plenary. The participation of children was a major innovation in international conferences and should lead to a search for other means of allowing children to have their say in the context of the United Nations.

61. Mr. JAKUBOWSKI (Poland) shared the viewpoint of the representative of the European Union in his statement. In 1978, it had been Poland that had submitted the draft convention on the rights of the child to the Commission on Human Rights and had been very active in the ensuing negotiations and consultations. He was very pleased that the Convention had subsequently been ratified by an unprecedented number of countries. At the present stage it was important to implement the provisions adopted, but it was a complicated and long-term task. Specific measures on behalf of children's rights needed to be taken both by parliaments and

Governments and by civil society. Activities which had already taken place included a conference entitled "Keep Children Smiling in the new Millenium", which had been held in Warsaw on 27 and 28 September on the initiative of Poland's First Lady, in the presence of queens and wives of heads of State and heads of Government, numerous personalities and NGOs, in order to put the accent on placing children's rights at the centre of policies.

62. Magriet VAN WESTENBRUGGE (Netherlands), said in reply to the statement by the representative of Finland, who had said that there was a need to seek what was for the good of children, that children had only to be asked what they wanted. They were best placed to talk about what concerned them and they charged lower fees than the experts. While in most countries the laws on children's rights were very good in theory, they were not really applied in practice, as the NGOs could corroborate.

63. Mrs. ORKAN (Sweden) said that the Convention had changed the way children were perceived. In Sweden, respect for children's rights was regarded as a priority. Even in supposedly developed countries the implementation of the Convention was a major undertaking.

64. In spring 1999, the Swedish Parliament had approved national strategies on how the principles of the Convention should be incorporated into all public decision-making relating to children. Most of the activities scheduled as part of these strategies would be carried out under the supervision of the children's ombudswoman. A bill to strengthen her powers was being studied. As far as increasing the participation and the influence of children in the community was concerned, methods would be developed and a collection made of the best practices for circulation in Sweden and, if necessary, abroad.

65. So that the Convention would become a genuine instrument of political action, the Ministry of Health and Social Affairs had been made responsible for ensuring that the relevant decisions of all ministries took children's interests into account, not only nationally but also regionally and locally. As Mr. Hammarberg had said, it was important for the authorities to analyse the implications of their decisions on children. In this perspective, the Swedish Government had given the children's ombudswoman and the national financial management authority the task of drawing up guidelines which could provide the lead in an analysis of that nature, particularly in budgetary decisions. As for compliance with the principle of the best interests of the child, Parliament was reflecting on what the objectives of cooperation and the combat against poverty should be in the light of children's rights. Particular account was taken of the rights of children with special needs.

66. Sweden had been one of the initiators of the 1991 World Summit for Children and along with five other countries was currently responsible for preparing the special session of the General Assembly in 2001 where the implementation of the recommendations of the World Summit would be examined.

67. Mr. GNÄRIG (International Save the Children Alliance) said that his organization had been established in 1919 and that while its founder had stressed the importance of giving children food and shelter, she had also said that their rights must be recognized. As had already been said, the Convention was a good instrument although some of its provisions could be improved. In many countries, however, it continued to be very much a matter of theory and

much remained to be done, both in incorporating its principles in domestic law and in disseminating its content, inter alia, to all levels of government and in educational and medical establishments. Most people did not know that children had rights. For example, police personnel should be given training on the situation of street children. The principles of the Convention and the policies which implemented them should transcend the framework of ministerial cabinets and capital cities and penetrate civil society.

68. It was also important that children themselves should know that they had rights and it was therefore essential to teach the principles of the Convention in schools. As for the participation of children, they themselves should be more often asked what they needed. They should also take themselves in hand and demand the right to exercise their rights without waiting for adults to give them permission.

69. An overall glance at the existing situation in the world revealed that specific groups of children were subjected to discrimination and deprived of practically all their rights - refugee children, street children and disabled children. The NGOs did a great deal for children but they would do better to work more in cooperation with the national authorities and also to cooperate more among themselves for the good of the children.

70. Mr. HASSAN (Iraq) welcomed the celebration of the tenth anniversary of the Convention and recalled the tragic fate of Iraqi children who were the victims of what amounted to genocide; more than a million had died as a result of the embargo. They suffered from a lack of food and housing and were often without schooling while many had psychological problems. Added to those problems were the congenital defects and the cancer-provoking illnesses due to the effects of the depleted uranium contained in the weapons used by the United States of America and the United Kingdom.

71. Iraq's children were wondering what the United Nations bodies were doing to defend children's rights. Aggression against Iraq had been perpetrated in the name of a Security Council decision. The Committee on the Rights of the Child had avoided taking a stand on the situation of children in Iraq despite the statistics and data transmitted to it. The international organizations discussed the situation of children everywhere in the world, but not that of Iraqi children, although the entire world knew of their tragic fate. Why did the international community take no interest in the rights of Iraqi children and why, for example, was no round table organized on the subject?

72. Mrs. RAO (India), referring to the distinction between "easy rights" and "difficult rights", said that for her part she would prefer to speak of "rights of subsistence" or "rights of development". In India, the principles of the Convention could almost all be found already in laws and regulations and were progressively being implemented. The country had made progress but there were also shortcomings which were not due to a lack of political will but to the complexity of the task and the size of the problems to be solved. Was there any need to recall that India's child population was the second-biggest in the world? That meant that not all aims could be achieved in merely a few years.

73. The participation of children was a central feature of many of the projects carried out with the NGOs and UNICEF; for example, small groups of children in some villages were the

spokesmen for their peers, with very beneficial results. At the national level, the authorities were intending to set up a national commission for children with the responsibility, inter alia, of examining to what extent the law was in keeping with the Convention, of following the implementation of the Convention and of making recommendations.

74. Endri FUGA (Albania) thanked the international community for its assistance, essentially through UNICEF, to child refugees from Kosovo in Albania. However, he drew attention to the fact that many of them had already returned to Kosovo and no longer benefited from the programmes set up in Albania. He asked whether it would be possible to continue to implement those programmes for Kosovo children who had returned home.

75. Patricia CRUZADO (Peru) expressed her support for the remarks by the representative of Sweden who had said that it was important for children to take part in conferences. According to the Convention, children should take action, decide for themselves and be involved in what concerned them. In Peru, the Convention was perceived as a splendid document but it had no real effect. It was essential for children and Governments together to make every effort to ensure that it did not become a dead letter.

76. David HENRY (United Kingdom) said that he belonged to an organization called "Article 12", run by children to promote and defend children's rights under the Convention; it also produced a publication informing young people of their rights. It was a great pity that the Convention was not really implemented in the United Kingdom. It was absolutely essential that young people should know their rights because they were tomorrow's adults.

77. Sanda JIMENEZ LAZA (Mexico), noting that it had been proposed that the number of members of the Committee on the Rights of the Child should be increased, proposed that some of the additional members should be children. Children would thus have a permanent forum to express themselves.

The meeting rose at 1.15 p.m.